

REMARKS

The foregoing amendments to the Claims and these Remarks are responsive to the Office Action mailed September 27, 2005. In that Office Action, the Examiner set forth a restriction requirement and required election of one of the following groups under 35 U.S.C. § 121:

Group I: Claims 1-16, drawn to a method of stabilizing a vertebral body; and

Group II: Claims 17-87, drawn to a connector assembly.

In response, Applicant has elected Group I, claims 1-16, drawn to a method of stabilizing a vertebral body, without prejudice as to Applicant's ability to pursue these claims in a divisional application. This election is made without traverse. Applicant further provisionally elects the species shown in Figs. 35-38.

Applicant respectfully requests removal of the restriction requirement and allowance of claims 1-16. The Examiner is invited to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance.

No fees are believed due with the filing of this Amendment; however, the Commissioner for Patents is hereby authorized to charge any deficiency in any fees due with the filing of this paper or during the prosecution of this application to Deposit Account No. 50-0951.

Respectfully submitted,

AKERMAN SENTERFITT

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